



## OFFICE OF MAYOR JERRY SANDERS

FOR IMMEDIATE RELEASE

March 16, 2006

### FACT SHEET

## **SANDERS' EMAIL TASK FORCE FINDS 9,000 LAMONT EWELL EMAILS**

### *Task Force Continues Work on City Email Practices*

- As a result of Mayor Jerry Sanders' Email Task Force, the San Diego Data Processing Corporation (SDDPC) was able to restore and retrieve over 9,000 emails from Lamont Ewell's email post office as of October 11, 2005.
- This data was restored and retrieved from a back-up tape which was part of a consolidation of servers from that same period.
- This back-up tape was not part of a routine process, but was part of a special operation, consolidation of servers. The emails are available because an employee exercised good judgment by preserving the back-up tape instead of allowing it to be used again. The Mayor's Task Force is examining policies across the board regarding such practices.
- In addition, over 1,500 emails were retrieved in a stored archive on Lamont Ewell's desktop computer.
- All this information has being given to City Attorney Mike Aguirre who has launched his own investigation. The City Attorney will insure that the City is complying appropriately with any Federal subpoenas as well as Public Records Requests.

### **Background**

- Earlier this year, the *San Diego Union-Tribune* requested the emails of former City Manager Lamont Ewell for the month of November 2005. As part of the City's production efforts for this request, the Public Records Request was sent to the City's Information Technology & Communications (IT&C) Department. IT&C, in turn, requested the electronic documents from the SDDPC.

- Both agencies reported back that they were unable to locate any emails for Mr. Ewell during November 2005 and that there were 43 emails for all of 2005.
- The SDDPC subsequently informed the Mayor that a “snapshot” of mailbox statistics conducted on Monday, November 21, 2005, indicated that Mr. Ewell was using 1,048 MB of memory on this date. His account included 6,237 emails in his inbox, 2,207 in his outbox, and 430 in his trash, for a total of 8,874 emails. Mr. Ewell’s last day in the office was Monday, November 28. His account was disabled on Tuesday, November 29. When a similar snapshot was taken that day, there were 43 emails left.
- As a practice across the City, all emails are backed up to tape for two weeks as part of an emergency recovery system, not as part of a records retention policy. They are then overridden by the next step of backups as the next 14 days advance.
- There are also disparate policies across the City that apply to the 6,411 employees having access to email. For the time being, the Mayor has informed all City employees not to empty their trash cans until further advice is provided.

What Mayor Sanders is doing about it:

The Mayor has created a task force to evaluate email retention policies and system practices across City government. The simple fact is that there are a number of disparate system practices across the City that merit immediate review.

The Mayor asked Matt McGarvey, the City’s Acting Chief Information Officer, to chair this task force and the following individuals serve on it:

City Attorney Michael Aguirre and his representatives  
Tom Fleming, San Diego Data Processing Corporation (SDDPC) and his representatives  
Elizabeth Maland, City Clerk and her representatives  
JoAnne SawyerKnoll, Deputy Chief Operating Officer for Ethics & Integrity

The Mayor has directed the task force, as expeditiously as possible, to provide him and the City Council with two critical products:

1. A top level report on: the disposition of City emails; the applicable state laws on email records retention; and the City’s policies, as memorialized in Administration Regulations, as well as the City’s practices of retaining emails, to include those deleted from individuals’ trash cans.
2. A final report with recommendations on how all of the above can be either corrected or strengthened.